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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/629,740	07/30/2003	Tsuyoshi Nakamura	040679-1455

22428  
FOLEY AND LARDNER  
SUITE 500  
3000 K STREET NW  
WASHINGTON, DC 20007

**CONFIRMATION NO. 8910**  
**FORMALITIES LETTER**

Date Mailed: 09/13/2004

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

FILED UNDER 37 CFR 1.53(b)

***Filing Date Granted***

### **Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:  
*Hideyuki Matsushima*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$130** for a Large Entity

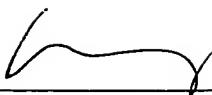
- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

11/01/2004 BABRAHA1 00000059 190741 10629740

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*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



Atty. Dkt. No. 040679-1455

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Tsuyoshi NAKAMURA et al.

Title: FUEL VAPOR TREATMENT DEVICE

Appl. No.: 10/629,740

Filing Date: 07/30/2003

Examiner: Unassigned

Art Unit: 3747

**REQUEST TO WITHDRAW NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Receipt is acknowledged of the Notice to File Missing Part of Application--Filing Date Granted (copy attached) dated September 13, 2004, in the subject application.

Attached hereto are the following:

- 1) A copy of the executed Declaration and Power of Attorney (8 total pages), the original of which was filed on July 30, 2003. The Notice to File Missing Parts indicated that the signature for Hideyuki MATSUSHIMA was missing. However, his signature is on the last page of the Declaration and Power of Attorney as can be seen from the attached copy.
- 2) A copy of Transmittal Letter dated July 30, 2003, indicating that a Declaration and Power of Attorney (containing 8 pages) was attached.

The PTO is advised that the aforementioned documents were timely filed with the PTO on , as evidenced by the attached postcard bearing the Office date stamp of thereon.

In view of the foregoing, it is requested that the Notice to File Missing Parts of Application be withdrawn and that the official Filing Receipt confirming the above-noted filing date and Serial Number be mailed.

The surcharge of \$130.00 is not being submitted herewith since the Declaration was originally filed with the application. However, the Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 19-0741.

Respectfully submitted,

Date OCT 28 2004

By *Richard L. Schwaab*

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5414  
Facsimile: (202) 672-5399

Richard L. Schwaab  
Attorney for Applicant  
Registration No. 25,479



Atty. Dkt. No. 040679-1455

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Tsuyoshi NAKAMURA et al.

Title: FUEL VAPOR TREATMENT DEVICE

Appl. No.: Unassigned

Filing Date: July 30, 2003

Examiner: Unknown

Art Unit: Unknown

**UTILITY PATENT APPLICATION**  
**TRANSMITTAL**

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) is the nonprovisional utility patent application of:

Tsuyoshi NAKAMURA  
Souichirou KAKU  
Hideyuki MATSUSHIMA

Enclosed are:

- Specification, Claim(s), and Abstract (17 pages).
- Formal drawings (7 sheets, Figures 1-8).
- Declaration and Power of Attorney (8 pages).
- Assignment of the invention to MAHLE TENNEX CORPORATION and NISSAN MOTOR CO., LTD.
- Assignment Recordation Cover Sheet.
- Information Disclosure Statement.
- Form PTO/SB/08 with copies of 3 listed reference(s).
- Application Data Sheet (37 CFR 1.76).

[ X ] Claim for Convention Priority with 1 certified Japanese priority document.

The filing fee is calculated below:

	Claims as Filed	Included in Basic Fee	Extra Claims	Rate	Fee Totals
<b>Basic Fee</b>				<b>\$750.00</b>	<b>\$750.00</b>
Total	10	20	= 0	x \$18.00 =	\$0.00
Claims:					
Independen	1	3	= 0	x \$84.00 =	\$0.00
ts:					
If any Multiple Dependent Claim(s) present:			+ \$280.00 =		\$0.00
			SUBTOTAL: =		<b>\$750.00</b>
[ ] Small Entity Fees Apply (subtract ½ of above):					\$0.00
			TOTAL FILING FEE: =		<b>\$750.00</b>
Assignment Recordation Fee:			+ \$40.00 =		\$40.00
			TOTAL FEE =		<b>\$790.00</b>

[ X ] A check in the amount of \$790.00 to cover the filing fee and fee for recordation of Assignment is enclosed.

[ X ] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date July 30, 2003

By /s/ Glenn Law, Reg. No. 34,371

FOLEY & LARDNER  
Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

Telephone: (202) 672-5414  
Facsimile: (202) 672-5399

Richard L. Schwaab  
Attorney for Applicant  
Registration No. 25,479

*36*  
Title: FUEL VAPOR TREATMENT DEVICE  
Inventor(s): Tsuyoshi NAKAMURA et al. Dkt. No. 040679-1455  
Appl. No.: Unassigned RLS (7/30/03)



- Transmittal of Patent Application (2 pgs.);
- Patent Application Specification (17 pgs.);
- Formal Drawings (7 sheets);
- Declaration and Power of Attorney (8 pgs.);
- Assignment;
- Assignment Recordation Cover Sheet;
- Information Disclosure Statement;
- Form SB/08 and 3 References;
- Claim for Convention Priority w/1 Japanese priority doc.;
- Application Data Sheet;
- Check Number 30458 for \$790.00.

Due Date: July 31, 2003  
Date Filed: July 30, 2003

RLS/jkb/dbb  
Insp. By: *JKB*



Title: FUEL VAPOR TREATMENT DEVICE  
Inventor(s): Tsuyoshi NAKAMURA et al. Dkt. No. 040679-1455  
Appl. No.: Unassigned RLS (7/30/03)

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- Assignment;
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- Application Data Sheet;
- Check Number 30458 for \$790.00.

Due Date: July 31, 2003  
Date Filed: July 30, 2003

RLS/jkb/dbb  
Insp. By:

15757 U.S. PRO  
10/629740  
07/30/03